

1 Well, does Tyler -- does ExecuTime work
2 like that where you get it and your customer can
3 only use it for a set amount of time before they
4 would need to relicense it to continue using it?

5 A I don't know.

6 Q Okay. All right. So say the city of
7 Atlanta calls -- calls Tyler and says, "I need
8 payroll and HR software. Time and payroll
9 software." Who's the first person that they're
10 going to be sent to to speak -- to speak with?
11 What type of position?

12 A I don't want to speculate because they
13 could have spoken to a receptionist.

14 Q Uh-huh.

15 A But in order to purchase software, they
16 would speak to a sales representative.

17 Q Okay. And does the sales rep make
18 recommendations about what type of software fits
19 their needs generally?

20 A I believe it would depend upon who was
21 calling, what their needs were.

22 Q Are the sales reps assigned to a specific
23 type of software?

24 A Yes.

25 Q So you have ExecuTime sales reps versus a

1 **Munis sales rep?**

2 A Correct.

3 **Q Well, who decides which sales rep they go**
4 **to before they decided what software they're going**
5 **to purchase?**

6 A I'm not familiar with the designation of
7 sales representatives. I believe it would depend
8 upon if they submitted for -- a request for
9 proposal.

10 **Q Uh-huh. Have you seen a request for**
11 **proposal before?**

12 A Yes.

13 **Q So is it a sales rep who would make the**
14 **recommendation about which Tyler product is most**
15 **appropriate?**

16 A I believe it would be a collaboration.

17 **Q Between who?**

18 A Sales representatives, product owners.

19 **Q Do customers ever come to you first**
20 **before they've spoken to a sales rep as a product**
21 **owner?**

22 A Not typically.

23 MR. HERRINGTON: Just one moment.

24 (Off the record.)

25 MR. HERRINGTON: Let's go back on the

1 record.

2 BY MR. HERRINGTON:

3 Q Okay. So they talk to the sales rep -- a
4 new customer talks to the sales rep and maybe with
5 the product owner to make a decision about what
6 Tyler product to buy.

7 Who do they get sent to after that, after
8 the decision has been made?

9 A Can you clarify what decision, please?

10 Q Which Tyler product to purchase.

11 They've decided "I want ExecuTime
12 software." Okay, done deal. Who makes the
13 contract? You know, who is the person in charge of
14 the contracting?

15 A I believe sales representatives create
16 the contract, but it must also go through legal.

17 Q Now, when I'm -- and, again, I'm -- when
18 I say purchase ExecuTime software, we haven't
19 really established whether it's a term lease of the
20 software or if it's an outright purchase of the
21 software for indefinite use, so I'm going to say
22 purchase, but I'm not expecting -- I'm not saying
23 that to try to lock down the company as to, you
24 know, it's a definite purchase versus lease, it's
25 just, you know.

1 MR. McKEEBY: They're purchasing
2 something clearly.

3 BY MR. HERRINGTON:

4 Q Yeah, they're purchasing something and
5 we're just going to say they're purchasing the
6 software for the sake of simplicity, but not
7 necessarily because that's totally accurate. It
8 may not be.

9 So after they've done their contract and
10 purchased ExecuTime, they have made a choice
11 between daily, hourly, milestone, or paid in full
12 contract, correct?

13 A Correct.

14 Q Okay. Are you aware of any other major
15 distinctions between those types of contracts other
16 than the way that it's billed?

17 A It would depend upon the contract and
18 what was decided within it.

19 Q Is there something within ExecuTime
20 called -- that would be fair to call a module?

21 A Yes.

22 Q Okay. Would you describe what a module
23 is?

24 A A module in the sense of ExecuTime is one
25 of two. Either it is time and attendance or it is

1 MR. McKEEBY: The first being the basic
2 level and time and attendance?

3 MR. HERRINGTON: Time and attendance.

4 MR. McKEEBY: Okay.

5 BY MR. HERRINGTON:

6 Q Okay. So they've decided to get one or
7 both modules. What's the next step in the lifetime
8 of the project?

9 A If a contract has been signed, the sales
10 rep sends it to a team at ExecuTime.

11 Q Which team?

12 A It typically includes the manager of
13 implementation.

14 Q Is that a project manager?

15 A No.

16 Q Okay.

17 A And the director of ExecuTime.

18 Q Uh-huh.

19 A And the manager of implementation and
20 support.

21 Q So the manager of implementation is
22 different from the manager of implementation and
23 support?

24 A Correct.

25 Q Can you describe to me generally the

1 **different responsibilities of those three**
2 **positions?**

3 A I can give a broad view. The director is
4 in charge of all business relations of ExecuTime.

5 Q **Uh-huh.**

6 A The manager of implementation and support
7 is a manager over manager of implementation as well
8 as the remainder of the implementation teams,
9 including project managers and implementation
10 consultants.

11 The manager of implementation is the
12 manager of the project managers and implementation
13 consultants.

14 Q **Okay. Does the manager of implementation**
15 **and support manage -- is there a manager of support**
16 **somewhere?**

17 A Yes.

18 Q **Okay. So the manager of implementation**
19 **and support is managing two teams? Or down the**
20 **hierarchy from the manager of implementation and**
21 **support you would find two different teams; is that**
22 **correct?**

23 A Correct.

24 Q **Okay. All right. Well, we've said that**
25 **after the contract is signed it's sent to the three**

1 of them, the project. What do the three of them do
2 with the project before passing it on to the next
3 step?

4 A They read the contract.

5 Q Uh-huh.

6 A Determine what modules have been
7 purchased.

8 Q Uh-huh.

9 A And then assign resources accordingly.

10 Q Okay. What are resources?

11 A Project manager and implementation
12 consultant teams.

13 Q Now, on each project -- are there
14 multiple implementation consultants on a single
15 project?

16 A Not typically.

17 Q Okay. Does the project manager choose
18 the implementation consultant or is it decided --
19 is the implementation consultant chosen at a higher
20 level than the project manager?

21 A An implementation consultant is assigned
22 typically to a project manager.

23 Q Okay. So does an implementation
24 consultant always -- or typically work with the
25 same project manager on all projects?

1 A Yes.

2 Q Okay. Now, the project manager is going
3 to manage multiple implementation consultants,
4 correct?

5 A It depends. There are some teams that
6 have that and some that do not.

7 Q Okay. So sometimes a project manager
8 works on every project with the same implementation
9 consultant?

10 A That is typical.

11 Q Okay. So the manager of implementation,
12 director of ExecuTime, and the manager of
13 implementation and support have assigned a project
14 to an implementation team consisting of a project
15 manager and an implementation consultant.

16 What is the first step that the project
17 manager would take?

18 A Reading the contract.

19 Q Okay. And based upon a reading of the
20 contract, what kind of decisions have to be made?

21 A Where they would be installed for their
22 software.

23 Q Do you mean physically, like, where is
24 their hardware located?

25 A Correct.

1 Q Okay.

2 A If time clocks were on the contract and
3 they needed to be purchased.

4 Q You're talking about purchasing hardware
5 for time clocks?

6 A Correct.

7 Q Like physical time clocks?

8 A Yes.

9 Q So contracts can include time clocks or
10 not?

11 A Correct.

12 Q Okay. And that's -- and that decision is
13 made in conjunction with the sales rep early on?

14 A Yes.

15 Q Okay. Are there any other features like
16 that? We've established that they choose one or
17 two modules, now time clocks. Are there any other
18 typical purchase decisions that have to be made?

19 A Whether or not they purchased a mobile
20 module.

21 Q Is that like a mobile app?

22 A It is not an app.

23 Q I've seen -- Suzi was, you know, very
24 specific about that, too. Is that a point of
25 contention for some reason that -- are you

1 **developing an app? I mean --**

2 MR. HERRINGTON: Let's go off the record.

3 (Off the record.)

4 MR. HERRINGTON: Let's go back on the
5 record.

6 BY MR. HERRINGTON:

7 Q **So would the mobile -- the mobile module**
8 **you would access that through just a general web**
9 **browser on your own?**

10 A Correct.

11 Q **Okay. Is it set up so that you -- so**
12 **that you view differently when you're on a phone**
13 **versus if you're on a desktop?**

14 A Yes.

15 Q **Okay. So you could go to the same portal**
16 **or website and it won't look the same on your phone**
17 **versus your desktop computer?**

18 A You would need to select mobile or
19 desktop.

20 Q **I see.**

21 **And so are the same features available on**
22 **both?**

23 A No.

24 Q **Okay. So you can't do everything on the**
25 **mobile app -- or sorry, you can't do everything on**

1 the mobile module that you can do on the desktop
2 module?

3 A That's correct.

4 Q Okay. Is that -- am I accurately using
5 the terms "desktop module" and "mobile module"?

6 A Yes.

7 Q Okay. Anything else that they would
8 decide to purchase at the time the contract is
9 being created other than time clocks and mobile
10 module?

11 A No.

12 Q Does the number of employees make a
13 difference to the cost of a project to a customer?

14 MR. McKEEBY: The number of employees at
15 the customer?

16 BY MR. HERRINGTON:

17 Q Yeah, the number of employees who --
18 yeah, who are going to be using the software, does
19 that make a difference as to how much the customer
20 ends up having to pay for the project?

21 A It does with licensing.

22 Q Okay. Now, with the time and attendance
23 software, rather than advanced schedule, with time
24 and attendance do employees have access to that or
25 is it -- does the -- not just employees, but do --

1 used, et cetera.

2 Q When you said setting up templates, are
3 there different categories of templates?

4 A Can you describe what you mean by
5 categories in relation to templates?

6 Q No, you said you're setting up templates
7 and there's obviously different types of templates.
8 So I'm looking for, to start with at least, the
9 most general distinctions between types.

10 A There's no categorization for templates.
11 The template is a responsibility to be set up by
12 the implementation consultant on taking those
13 documents, taking the information they were
14 provided and worked with with the client and their
15 project manager and setting up the system in
16 preparation for training.

17 Q Okay. So the customer has purchased
18 certain features, and the plan, the statement of
19 work has to reflect those features; is that fair to
20 say?

21 A The statement of work would need to
22 include a high level overview of how the system
23 should be set up.

24 Q And then the templates -- what I'm trying
25 to get at is, the choice between various templates

1 and getting that feel.

2 Not having a technical term for that, but
3 working in the business and knowing they're going
4 to be more receptive and they're going to be
5 happier at the end if I'm there with them holding
6 their hand.

7 **Q All right. Are you aware of any specific**
8 **examples of Ms. Greene making such recommendations?**

9 A This would have been a daily thing that
10 would be responsible of an implementation
11 consultant. That is definitely an expectation to
12 say with my resource planning and my schedule, I
13 will need to determine that with each and every
14 client that I work with.

15 **Q Are you aware of any documents that**
16 **actually reflect her doing that, saying, I**
17 **recommend that you do this based on this and this**
18 **and this?**

19 A I'm aware that typically those
20 conversations happen via a telephone call. We
21 require a scheduling call with the client and they
22 review when they're going to travel, if they're
23 traveling, if they're on-site. And those types of
24 things are discussed on that scheduling call with
25 the client.

1 **Q Who's on a scheduling call?**

2 A Typically the client's project manager
3 and implementation team, the implementation
4 consultant and the project manager.

5 **Q So, again, back to my question: Are you**
6 **aware of any documents that would actually reflect**
7 **Ms. Greene making such recommendations?**

8 A I don't have an exact example.

9 **Q So the timeline is created, and then what**
10 **happens?**

11 A A client must agree upon that timeline.

12 **Q So the customer makes the final call?**

13 A They agree with what was proposed to them
14 for the timeline. Or they object and say "I need
15 to change things."

16 **Q Can you give me examples of when a**
17 **customer has objected and why?**

18 A Do you need -- this is not specific to
19 her, to Ms. Greene. However, that -- it's common
20 that we collaborate with a client to say, this is
21 what we propose, and they come back and say, "I
22 know that I'm going to have people out, I have
23 blackout dates during this time that you proposed
24 we do on-site training, can we push it a week or
25 two?"

1 Q Now, before the timeline, the proposed
2 timeline goes to the customer, does it go through
3 the project manager?

4 A The project manager and implementation
5 consultant typically develop it together.

6 Q Okay. So up until this point has the
7 implementation consultant done anything
8 independently without supervision by the project
9 manager or review by the project manager?

10 MR. McKEEBY: Object to the form of the
11 question as vague and ambiguous.

12 You can answer.

13 A We have technical review calls which the
14 implementation consultant could and typically does
15 perform. They also are in receipt of the new
16 contract. They can review that on their own. They
17 can begin research on the client. All of this can
18 be done without the project manager.

19 BY MR. HERRINGTON:

20 Q They can begin research on the client,
21 what does that mean?

22 A Reviewing the contract, looking at the
23 project and how it's been set up. Looking to see
24 if they would make any recommendations based on
25 what was the initial contract.

1 Q Okay. Does the implementation consultant
2 make any decisions that are not reviewed at a
3 higher level?

4 A On a daily basis.

5 Q Like what?

6 A Being on-site for a training with a
7 client, the agenda isn't getting done and they make
8 a decision that they're going to tell the client
9 they need to come back on-site. And working with
10 the client to get that built into the project
11 timeline, stay longer that day maybe, work through
12 lunch if they need to.

13 On-site is wholeheartedly their -- their
14 work to work directly with the client to make sure
15 that they're making progress with the client.

16 Q Okay. So they'll make changes to the
17 timeline without going through the project manager?

18 A Typically on-site it could or could not
19 regard timeline changes. If they can fit it within
20 the timeline that's been proposed, that's the
21 preference so that we can keep clients and
22 resources on-site.

23 If a change does need made, there are
24 examples that the implementation consultant will
25 make that recommendation as well.

1 **Q Tell me, what is a technical review call?**

2 A That is where we get on with the client
3 and review questions to set up their system.

4 Are you going to want to use our email
5 system? Do you have an SMTP service?

6 **Q What is that?**

7 A It's an email protocol.

8 **Q Okay. Are the questions that you go**
9 **through with the client on a technical review call,**
10 **is that from a master list of questions?**

11 A It can be, but it's up to the discretion
12 of the implementation consultant to know what
13 questions to ask, what not to ask, what to
14 elaborate on.

15 **Q What kind of questions could be omitted?**

16 A If they did not purchase time clocks,
17 maybe the implementation consultant could say, how
18 are you going to be logging in your time? I'd make
19 a recommendation you add time clocks. Or you don't
20 have them on your contract, we're not going to
21 discuss that.

22 **Q Are you aware of any instances of**
23 **Ms. Greene making a recommendation that someone**
24 **purchase time clocks?**

25 A I don't have an exact example.